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5. *Amendment of Central Act V of* 1898.—In the Code of Criminal Procedure, 1898 (Central Act V of 1898).—

(i) in sub-section (1) of section 521, after the word and figures "section 292", the word, figures and letter "section 292-A" shall be inserted;

(ii) in Schedule II, for the entries relating to sections 292 and 293, the following entries shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
"292	Sale, etc., of obscene books, etc.	Ditto.	Warrant.	Ditto.	Ditto.	Imprisonment of either description for two years, or fine, or both.	Presidency Magistrate or Magistrate of the first class.
292-A	Printing, sale, etc., of grossly indecent or scurrilous matter or matter intended for blackmail.	Ditto.	Ditto.	Ditto.	Ditto.	Ditto.	Ditto.
293	Sale, etc., of obscene objects . . . grossly indecent, or scurrilous matter or matter intended for blackmail to young persons.	Ditto	Ditto.	Ditto.	Ditto.	Imprisonment of either description for three years, or fine, or both.	Ditto.

T. HANUMANTHAPPA,
Secretary, Legislative Assembly Department.

FORT ST. GEORGE, MADRAS-9,
22nd June 1960.

APPENDIX VI.

[Vide item VII on page 37 supra.]

REPORT OF THE JOINT SELECT COMMITTEE ON THE MADRAS JUDICIAL PROCEEDINGS (REGULATION OF REPORTS) BILL, 1960 (L.A. BILL No. 12 OF 1960).

To

THE HONOURABLE THE LEGISLATIVE ASSEMBLY,
MADRAS.

The Joint Select Committee appointed to consider the Madras Judicial Proceedings (Regulation of Reports) Bill, 1960 (L.A. Bill No. 12 of 1960) has the honour to make the following report.

2. The Bill was published in English in the *Fort St. George Gazette* Extraordinary, dated 16th April 1960, and in Tamil in the *Fort St. George Gazette*, dated 1st June 1960.

3. The Joint Select Committee was constituted by a resolution of the Legislative Assembly, dated 27th April 1960, and of the Legislative Council, dated 28th April 1960.

4. The Committee met in the Members' Lounge Room, Fort St. George, Madras, on the 29th April 1960 and in the "Tamizhagam", Ootacamund, on the 17th and 18th May 1960.

5. The Committee has subjected the provisions of the Bill to a careful scrutiny and as a result thereof has made changes and the important one is—

Clause 5.—The Committee decided that the offences punishable under the Act should be deemed to be cognizable, within the meaning of the Criminal Procedure Code. The clause has therefore been recast accordingly.

6. A copy of the Bill embodying the amendments made by the Committee is annexed.

7. The Committee considers that the changes made in the Bill are not of such important character as to necessitate the republication of the Bill.

FORT ST. GEORGE, MADRAS-9, C. SUBRAMANIAM,
2nd June 1960. *Chairman.*

ANNEXURE.

[Vide paragraph 6 of the Report.]

[NOTE —**The changes made are sidelined or underlined and the portions omitted are indicated by dots.**]

(L.A. BILL No. 12 OF 1960.)

A Bill to regulate the publication of reports of judicial proceedings so as to prevent the publication of obscene or indecent matter and other matters the publication of which will not be in the public interest, in the State of Madras.

WHEREAS it is expedient to regulate the publication of reports of judicial proceedings so as to prevent the publication of obscene or indecent matter and other matters, the publication of which will not be in the public interest, in the State of Madras;

BE it enacted in the Eleventh Year of the Republic of India as follows :—

1. *Short title, extent and commencement.*—(1) This Act may be called the Madras Judicial Proceedings (Regulation of Reports) Act, 1960.

(2) It extends to the whole of the State of Madras.

(3) It shall come into force on such date as the Government may, by notification, appoint.

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2. *Definitions.*—In this Act, unless the context otherwise requires—

(*a*) " book " includes every volume, part or division of a volume, pamphlet and leaflet, in any language and every sheet of music, map, chart or plan separately printed, cyclostyled or lithographed or otherwise mechanically produced;

(*b*) " document " includes any painting, drawing or photograph or other visible representation;

(*c*) " Government " means the State Government;

(*d*) " judicial proceeding " includes any proceeding in the course of which evidence is or may be legally taken on oath;

(*e*) " matrimonial matter " means any proceeding for dissolution or nullity of marriage, or for judicial separation, or for restitution of conjugal rights or any proceeding for—

(i) the maintenance of wife, husband or children; or

(ii) the alteration in the rate of such maintenance; or

(iii) the cancellation of the order of, or decree for, such maintenance;

(*f*) " newspaper " means any periodical work containing public news or comments on public news.

3. *Restrictions on circulation, printing or publication of reports of judicial proceeding.*—(1) Notwithstanding anything contained in any law for the time being in force, no person shall circulate, print or publish or cause to be circulated, printed or published—

(*a*) in relation to any judicial proceeding, any indecent or obscene matter, or any indecent or obscene details, which would be calculated to injure public morals;

(*b*) in relation to any matrimonial matter or any judicial proceeding in connexion with an offence under section 497 of the Indian Penal Code (Central Act XLV of 1860), any particulars except the following particulars, namely :—

(i) the names of the parties; and

(ii) the order of the Court;

(*c*) in relation to any judicial proceeding in connexion with an offence under sections 354, 366, 366-A, 366-B, 376, 377 or 498 of the Indian Penal Code (Central Act XLV of 1860), any particulars except the following particulars, namely :—

(i) the name, occupation and address of the accused; and

(ii) the order of the court without disclosing the identity, or giving any particulars calculated to lead to the identification, of any person who may have been a victim of the offence.

(2) Nothing in this section shall apply to the printing of any pleading, transcript of evidence or other document for use in connexion with any judicial proceeding or the communication

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thereof to persons concerned in the proceeding or to the printing or publishing of any notice or report in pursuance of the directions of the court or to the printing or publishing of any matter in a separate volume or part of any *bona fide* series of law reports or in any publication of a technical character *bona fide* intended for circulation among members of the legal or the medical profession.

4. *Penalty.*—If any person contravenes sub-section (1) of section 3—

(*a*) he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both; and

(*b*) any newspaper, book or document (including all copies thereof) in respect of which that sub-section has been contravened, shall, by order of the court, be liable to be forfeited to the Government.

5. *Offences under the Act to be cognizable.*—(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Central Act V of 1898) but subject to the provisions of sub-section (2), any offence under this Act shall be deemed to be a cognizable offence within the meaning of that Code.

(2) No Court shall take cognizance of any offence under the Act except with the previous sanction of the Government.

(3) No Court below that of a Presidency Magistrate or of a Magistrate of the First-class shall try any offence under this Act.

6. *Forfeiture and seizure of newspaper, etc., under section 99-A of Central Act V of* 1898.—The provision of sections 99-A, 99-B and 99-D of the Code of Criminal Procedure, 1898 (Central Act V of 1898), are hereby amended as specified in the Schedule to this Act and the provisions of sections 99-A to 99-G of the said Code as amended as aforesaid shall, notwithstanding anything contained in section 4, apply in respect of any newspaper, book or document, which appears to the Government to contain any matter in contravention of the provisions of sub-section (1) of section 3.

7. *Savings.*—Nothing in this Act shall exempt any person from any proceeding which might, apart from this Act, be brought against him.

8. *Power to make rules.*—(1) The Government may, by notification, make rules for carrying out the purposes of this Act.

(2) All rules made under this Act shall, as soon as possible after they are made, be placed on the table of both Houses of the Legislature and shall be subject to such modifications by way of amendment or repeal as the Legislature may make either in the same session or in the next session.

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THE SCHEDULE.

[*See* section 6.]

In the Code of Criminal Procedure, 1898 (Central Act V of 1898),—

(1) in sub-section (1) of section 99-A, after the words " appears to the State Government to contain ", the words " in relation to any judicial proceeding, any indecent or obscene matter, or any indecent or obscene details, which would be calculated to injure public morals, or " and after the words " that is to say ", the words, brackets, letter and figures " any matter referred in clause (*a*) of sub-section (1) of section 3 of the Madras Judicial Proceedings (Regulation of Reports) Act, 1960, or " shall be inserted;

(2) in section 99-B and in sub-section (1) of section 99-D, for the words " seditious or other matters ", the word " matter " shall be substitued.

T. HANUMANTHAPPA,
Secretary, Legislative Assembly Department.

FORT ST. GEORGE, MADRAS,
2nd June 1960.

APPENDIX VII.

[Vide item VIII on page 38 supra.]

ADDRESS BY SHRI BISNURAM MEDHI, GOVERNOR OF MADRAS, TO THE MEMBERS OF THE MADRAS LEGISLATIVE ASSEMBLY AND THE MADRAS LEGISLATIVE COUNCIL, ASSEMBLED TOGETHER AT THE ASSEMBLY CHAMBER, FORT ST. GEORGE, MADRAS, AT 11 A.M. ON FRIDAY, THE 5TH AUGUST 1960.

Hon'ble Members of the Legislature,

It gives me great pleasure once again to welcome you and extend my hearty greetings. Let me at the outset express my profound relief and thankfulness that the recent crisis in our affairs, caused by the strike of the Central Government employees, has passed off without material damage to the Nation. This satisfactory sequel was largely due to the steadfast support extended to the Government by the general public and influential sections of the Press. The strike cast a heavy strain on the General Administration and in particular on all ranks of the Police force, and they handled the difficult situation with understanding, firmness and tact. On behalf of the Government and the people of the State I hasten to convey to one and all of them my deep appreciation.

2. I extend a hearty welcome to the people of Tiruttani and the neighbouring villages which have become part of this State from the 1st of April. The division of the waters of the common Araniar